

Artificial Snowmaking Continues to Bring Out Public Interest

Public comments on artificial snowmaking continue to be seen in the Arizona Daily Sun with individuals expressing strong positions for or against the issue. It is appropriate to present the history and update citizens on the status of artificial snowmaking at the Arizona Snowbowl.

The approvals necessary for artificial snowmaking at the Arizona Snowbowl have been either under consideration or in litigation now for six years. Frequent dry winters led Snowbowl management to make the determination that artificial snowmaking would be necessary if the Snowbowl was to continue to remain in operation. In 2000, Snowbowl management met with City staff to determine if it would be feasible to consider the use of reclaimed water during winter months to produce artificial snow. The making of artificial snow with reclaimed water was not something new. Other states permitted the use of reclaimed water for making artificial snow and subsequently, the Arizona Department of Environmental Quality (ADEQ) updated its rules for permitted uses of reclaimed water. Snowmaking was made an approved use for "class A" reclaimed water, which the City produces.

In February of 2002 the Snowbowl submitted a proposal to the City of Flagstaff for the purpose of obtaining a commitment for reclaimed water. The Snowbowl is located on Forest Service property and the Forest Service determined that an Environmental Impact Statement (EIS) was necessary for the Snowbowl to obtain Forest Service permits to make artificial snow. The City process for consideration and approval began. The Water Commission received a presentation on the proposal on February 21, 2002. Approximately 30-35 members of the public attended the meeting. Concerns were expressed by Native American representatives about the use of reclaimed water to make the snow. Doney Park residents voiced concern about a reduction in water flow adjacent to their property. The Commission recognized the significant Native American, environmental, and economic issues that exist. They also realized their forum could not come close to the level of analysis that would occur in an EIS. Accordingly, the Water Commission made a recommendation to the City Council to approve a reclaimed water agreement with the Snowbowl contingent upon the Snowbowl obtaining the necessary environmental approval, which would include a full environmental impact statement. The recommendation was forwarded to the City Council on March 19, 2002, and a twenty year reclaimed water agreement was approved contingent on the Snowbowl obtaining necessary environmental approvals. The Snowbowl had two years to obtain the approvals and the agreement was up for renewal every five years to ensure the responsibilities of both parties were still met. In January of 2004, the Snowbowl requested a two year extension for the purpose of obtaining environmental

approvals. They were involved in the EIS process, but the Forest Service decision had not been rendered. The City Council approved the extension in January of 2004 as a result of testimony that the process was going forward and the delay was not the fault of the Arizona Snowbowl.

An issue that has been raised is the safety of the reclaimed water for snowmaking. Late in 2002 the City was approached by the USGS with a proposal to measure levels of pharmaceuticals and personal care products that are anticipated to be present in wastewater. The USGS had developed a methodology for testing for these chemicals at extremely low levels. The proposal also included biological testing to be performed by Northern Arizona University. The chemicals enter the wastewater system after coming into contact with the human body and are being studied on a global basis. So far, the level that these specific contaminants have impact on human health is unproven. The City is interested in what is present in the reclaimed water, especially how it compares with other systems throughout the United States, and entered into an agreement with the USGS and NAU to conduct the study. Two phases have been completed that include testing of reclaimed water from the City's two wastewater plants and City well water. Results have been presented to the City Water Commission and indicate that low levels of certain pharmaceuticals and personal care products are present. This is not different than would be expected from any municipal wastewater system in the United States. Removal of these contaminants can be done with more advanced treatment processes and can be expected to cost millions of dollars to City customers. This is hard to justify when existing rules established by our regulatory agencies authorize our uses and disagreement exists about the level or existence of a problem. Water quality, specifically concerns about pharmaceutical and personal care products (PPCPs) were evaluated in the EIS for snowmaking by the Forest Service. The EIS indicated that the use of reclaimed water for snowmaking is an acceptable use as determined by ADEQ. The EIS Record of Decision approved Alternative 2 of the EIS providing for, among other things, snowmaking using reclaimed water as a source.

The Record of Decision for the Arizona Snowbowl EIS was issued in February of 2005. It represents a two year analysis of the environmental effects of the project and is the basis of the "environmental approvals" the Snowbowl was required to obtain in accordance with its agreement with the City of Flagstaff. All of the issues that continue to cause questions were addressed in detail, including water quality and cultural resources. The Record of Decision was appealed, but the Record of Decision was affirmed by the Southwest Regional Forester.



The EIS is available to the public on the Forest Service website at: www.fs.fed.us/r3/coconino/nepa/2005/feis-snowbowl/index.shyml.

The first five year term of the Snowbowl's twenty year reclaimed water agreement with the City is up in March of 2007. The Snowbowl agreement is the only reclaimed water agreement the City has for a twenty year time period. The reason for this was the Snowbowl had to have assurance of water for a period of longer than five years to secure financing for what is an expensive process to go through and expensive project to construct. The five-year term serves as an opportunity to ensure the Snowbowl is meeting state requirements for the use of the reclaimed water and the City is still permitted by the State to provide the reclaimed water for this purpose. In order for the renewal to take place, the Snowbowl must make a formal request in writing at least forty-five days prior to the expiration of the current term of the agreement. The City received this request November 27, 2006. Other conditions that the agreement required to be met for a renewal include the Snowbowl fulfilling its obligations under the agreement and the City of Flagstaff being able to renew its Reclaimed Water Reuse Permit from ADEQ. All conditions have been met to date and as a result, the reuse agreement has been renewed administratively for another five-year term until 2012, subject to the conditions that the Snowbowl continues to fulfill its obligations under the agreement and that the City continues to have the ability to renew its Reclaimed Wastewater Reuse Permit from ADEQ, as of March 20, 2007.

After the Forest Service Record of Decision was issued, the Decision was challenged in the Federal Court system. In 2005 a Federal District Court in Prescott heard arguments challenging the decision of the Forest Service. In January of 2006, Judge Rosenblatt issued a decision upholding the Forest Service decision to permit the snowmaking. Opponents of the project have appealed the Federal District Court decision to the 9th Circuit Court of Appeals and the appeal was heard in September of 2006. A decision is yet to be rendered, and it is anticipated it could take several months for it to be delivered. In the mean time, concerns continue to be voiced about the project. It also is going through the most stringent review of any project the City has been associated with in many years.